



**House  
Legislative  
Analysis  
Section**

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**REGULATE DIGITAL SIGNATURES  
FOR PRIVACY PROTECTION**

**House Bills 6088 and 6089**

**Sponsor: Rep. Lynne Martinez**

**Committee: Transportation**

**Complete to 11-14-00**

**A SUMMARY OF HOUSE BILLS 6088 AND 6089 AS INTRODUCED 11-9-00**

The bills would regulate digital signatures when they are used for drivers licenses or state identification cards, to provide privacy protection.

House Bill 6088 would amend Public Act 222 of 1972 (MCL 28.292), which provides for an official personal identification card. Currently under that law, the secretary of state may retain and use a person's image only for programs administered by the Office of the Secretary of State, and is prohibited from using the image unless written permission for that purpose is granted by the person, or if doing so is required by law. House Bill 6088 would make a person's signature, as well as his or her image, subject to the same prohibitions.

House Bill 6089 would amend the Michigan Vehicle Code (MCL 257.307), which prescribes the manner in which an application is made for an operator's or chauffeur's license to the Office of the Secretary of State. The law currently specifies that an applicant can have his or her image captured or reproduced when an application for license is made. Further, the law specifies that an applicant who is required under the sex offenders registration act to maintain a valid operator's or chauffeur's license, or an official state personal identification card, is required to have his or her image captured or reproduced when an application for the license is made. In addition, the law requires the secretary of state to acquire, by purchase or lease, the equipment for capturing the images, and allows the Office of the Secretary of State to furnish the equipment to a local unit authorized to license drivers. Finally, the law requires an image captured under this provision to appear on the applicant's, operator's, or chauffeur's license, but specifies that the image can be used only for programs administered by the secretary of state. However, the secretary of state is prohibited from using the image unless written permission for that purpose is granted by the applicant, or if doing so is required by law. House Bill 6089 specifies that a person's signature, as well as his or her image, would be subject to all of the same provisions.

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